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Attorneys for Defendants  
KRYSTLE REID and CHRIS WILSON

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NICHOLAS ANTHONY VITELLO,                      CASE NO.: CV-13-4478-NJV  
Plaintiff,    STIPULATION AND [PROPOSED]  
ORDER STAYING CASE  
vs.    \*\*AS MODIFIED\*\*

KRYSTLE REID, CHRIS WILSON, Does  
1 through 10,  
Defendants.

- 
1. Plaintiff NICHOLAS ANTHONY VITELLO is represented by the Law Offices of Peter Martin;
  2. Defendants filed their Answer to Complaint on November 5, 2013;
  3. There is a Case Management Conference set in this matter on January 7, 2014, at 2:00 p.m. in Courtroom 205, 2<sup>nd</sup> Floor, 514 "H" Street, Eureka, California;

1           4.       Currently pending in the Humboldt County Superior Court is a case  
2 entitled: *People v. Nicholas Anthony Vitello*, Case No. CR1104161, arising out of the  
3 occurrences that are the subject of the civil action, and further:

4                   A.       The Defendant in that case is Plaintiff NICHOLAS ANTHONY  
5                   VITELLO in this action.

6                   B.       Defendants have asserted the *Heck* doctrine as a defense to the  
7                   subject civil case.

8           5.       The parties hereby stipulate to the following:

9                   A.       The parties request a stay of this action pending the final outcome of  
10                   the case *People v. Nicholas Anthony Vitello*, Humboldt County  
11                   Superior Court Case #CR1104161; and

12                   B.       That all pending dates, including the Case Management Conference  
13                   set for January 7, 2014, be vacated.

14 **IT IS SO STIPULATED.**

15 Dated: December 16, 2013

LAW OFFICES OF PETER E. MARTIN

17 By: /s/ Peter E. Martin

Peter E. Martin

Attorneys for Plaintiff

19 Dated: December 16, 2013

MITCHELL, BRISSO, DELANEY & VRIEZE

21 By: /s/ Nancy K. Delaney


Nancy K. Delaney

Attorneys for Defendants

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**IT IS SO ORDERED.** In addition, the court orders the parties to attend a telephonic status conference on February 11, 2014 at 1:00 p.m.

Dated: 12/18/13

  
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Magistrate Judge Nandor L. Vadas  
United States District Court